IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 8900 of 2007(H)

PETITIONER:

K.K.RAMAKRISHNAN, RETIRED FOREST RANGER
OFFICER, VAISAKH, VALKKILISSERI (PO),
VADAKARA, KOZHIKODE.

BY ADV. SRI.M.RAJASEKHARAN NAYAR

RESPONDENTS:
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1. PRINCIPAL SECRETARY TO GOVERNMENT,
FOREST AND WILDLIFE, SECRETARIAT,
THIRUVANANTHAPURAM.

2. CHIEF CONSERVATOR OF FOREST
(ADMINISTRATION), VAZHUTHACAUD,
THIRUVANANTHAPURAM.

3. DIVISIONAL FOREST OFFICER,
SOUTH WAYANAD FOREST DIVISION,
KALPETTA, WAYANAD.

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 8900/2007 H

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER OF AG NO. -16/PEN.A/1118/BW/03-04/442 DT. 2/8/04.

EXT.P2. COPY OF THE LETTER NO. E2/4122/04 ISSUED BY THE R3 TO THE PETITIONER DT. 17/8/2005.

EXT.P3. COPY OF THE ORDER OF R1 GO RT NO. 43/05/F&WLD DT. 25/1/2005.

EXT.P4. COPY OF THE ORDER OF R1 GO RT NO. 481/2006/FOREST DT. 20/11/06.

RESPONDENT'S EXHIBITS **NIL**

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K.BALAKRISHNAN NAIR,J.

WP(C)NO.8900 OF 2007-H

Judgment

The petitioner retired from service while working as Forest Ranger on 31.05.2004. So far, the DCRG has not been released to him. It is already authorised for payment by the Accountant General as per Ext.P1 dated 02.08.2004. Hence this Writ Petition, praying for a direction to the respondents to release the amount covered by Ext.P1. The learned Government Pleader upon instruction, submitted that the Government have suffered substantial loss as a result of missing timber in the forest range where the petitioner had worked for some time. He being one of the several officials, who worked there, may also be liable for a portion of the loss suffered by the Government, it is submitted.

2. At present, no criminal/disciplinary proceedings are pending against the petitioner. Therefore, he is entitled to get the DCRG released, by virtue of Ruling 5 under Rule 116 of Part III KSR. So, the respondents are directed to release the DCRG due to the petitioner in the light of the above Rule within two months from the date of receipt of a copy of this Judgment. This direction is issued without prejudice to the powers, if any of the Government to recover any amount from the petitioner, if it is found that he is responsible for the above said loss.

The Writ Petition is disposed of as above.

26.07.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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